IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5766 of 2005

Between:

Hari Divakaran S/o. K. Divakaran, Principal and Managing Partner, National Public School, Sri Samajam Road, Tanuku, West Godavari District.

..... PETITIONER

AND

1 The Sub Inspector of Police, Town Police Station, Tanuku, West Godavari District.
2 Cherukuri Srinivasa Rao R/o. D.No. 5-9-35, Mullapudivari Street, Old Town, Tanuku, West Godavari District.
3 Arimilli Rama Krishna S/o. Chakradhara Rao, R/o. Velpur, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, especially one in the nature of WRIT OF MANDAMUS declaring the action of the 1st Respondent in not extending the police help in spite of the complaint dt.12-03-2005 is illegal and arbitrary and direct the 1st respondent to give police aid forthwith and pass any such other order or orders as may deem fit and proper in the circumstances of the case in the interest of justice.

Counsel for the Petitioner: MR.K.V.BHANU PRASAD

Counsel for the Respondent No.1 : GP FOR HOME

Counsel for the Respondent Nos.2 and 3 : ---

The Court, at the admission stage, made the following :

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ORAL ORDER:

Heard both sides.

2. According to the petitioner, respondents 2 and 3 are the partners of National Public School, Tanuku, run by him. The main grievance of the petitioner is that since he is a non-local and respondents 2 and 3 are locals and influential, respondents hatched a plan to take over the management of the School by throwing the petitioner out. While the matter stood thus, respondents 2 and 3 have been interfering with the affairs of the petitioner's educational institution, after obtaining some signatures on some papers forcibly. Thereupon, a complaint, dated 12-03-2005, had been lodged with the 1st respondent, by the petitioner. So far, no investigation had been taken up by the 1st respondent.

3. The learned counsel for the petitioner contends that since 10th class examinations are fast approaching, if no protection is given by the police, it is difficult for the petitioner to conduct the ensuing examinations in a smooth manner. The learned counsel for the petitioner further submits that a civil suit is likely to be filed by the petitioner and hence, a direction may be issued to the 1st respondent to take necessary action on the complaint dated 12-03-2005, lodged by the petitioner.

4. Having regard to the facts and circumstances of the case, and in the light of the submissions made by the learned counsel for the petitioner, without expressing any opinion on the veracity or otherwise with regard to the contents of the complaint, alleged to have been lodged by the petitioner with the 1st respondent, suffice it to dispose of the writ petition with certain direction.

5. Accordingly, the writ petition is disposed of with a direction to the 1st respondent to inquire and investigate into the matter on the basis of the complaint said to have been lodged by the petitioner on 12-03-2005, if the same

is not yet done, and to act in accordance with law.

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21st March, 2005 D.S.R.VARMA, J

KVR

To

1 Sub Inspector of Police, Town Police Station, Tanuku,
West Godavari District.

2 Two C.Cs to the GP for Home, AP High Court Buildings,

High Court of AP, Hyderabad. (O.U.T.).

3 Two C.Ds.

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